

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GREGORY SMITH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ORDER

03-CR-108-S-01

Petitioner wishes the Court to consider his previously filed motion as a motion under 18 U.S.C. §3582(c)(2) instead of a motion under 28 U.S.C. § 2255. Respondent shall address this argument in its response.

SO ORDERED this 4th day of December, 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ
District Judge